

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**KENNETH J. CARLISLE, JR.,**  
**Plaintiff,**

**v.**

**DAVID SHULKIN, *Secretary of the United***  
***States Department of Veterans Affairs,*<sup>1</sup>**  
**Defendant.**

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**CIVIL ACTION NO. 17-0637**

**ORDER**

**AND NOW**, this 17th day of November 2017, upon consideration of the Complaint [Doc. No. 1], and Defendant's Motion to Dismiss [Doc. No. 8], it is hereby **ORDERED** that the Motion to Dismiss [Doc. No. 8] is **GRANTED**. The Complaint is **DISMISSED WIHTOUT PREJUDICE**. Plaintiff is granted leave to file an Amended Complaint no later than **December 22, 2017**. It is **FURTHER ORDERED** that the Clerk of Court is directed to mail copies of this Order and the accompanying Memorandum Opinion issued this day to Plaintiff's addresses listed on the docket and on the Complaint.

It is so **ORDERED**.

**BY THE COURT:**

/s/ Cynthia M. Rufe, J.

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**CYNTHIA M. RUFÉ, J.**

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<sup>1</sup> Pursuant to Fed. R. Civ. P. 25(d), David Shulkin is substituted as a defendant for former Secretary of the United States Department of Veterans Affairs Robert McDonald.